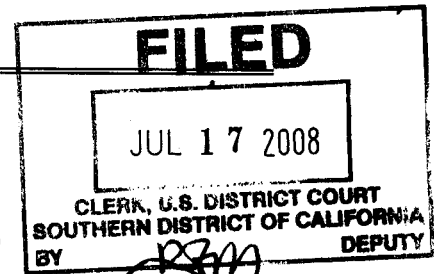


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

LUIS ANDRES HERNANDEZ

CASE NUMBER: 08CR 2369-BEN

I, LUIS ANDRES HERNANDEZ, the above named defendant, who is accused
committing the following offense:

Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C.,
Sec. 1325 - Illegal Entry (Felony); ~~Title 8, U.S.C., Sec. 1325 - Illegal Entry~~
~~(Felony)~~,

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby
waive in open court on 7/17/08 prosecution by indictment and consent that
the proceeding may be by information rather than by indictment.

Luis Hernandez
Defendant

[Signature]
Counsel for Defendant

Before [Signature]
Judicial Officer